

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the application of: Michael S. Hsu *et al.*

Serial No.: 09/352,093

Filed: July 14, 1999

For: ULTRA-HIGH EFFICIENCY TURBINE AND FUEL
CELL COMBINATION

Attorney Docket No.: **HSE-020CPCN2**

Group Art Unit: 1741

Examiner: Valentine, D.

Assistant Commissioner for Patents
Washington, D.C. 20231

TO THE MAIL ROOM

FEB 11 2000

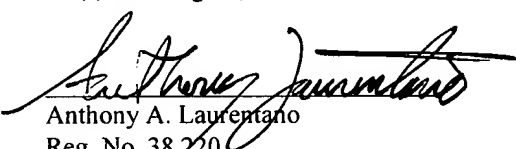
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By:


Anthony A. Laurentano
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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

Dear Sir:

The undersigned hereby declares that: he is empowered to act on behalf of Ztek Corporation; and Ztek Corporation is the owner of the entire interest in the instant application. Ztek Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 5,976,332. Ztek Corporation hereby agrees that any patent so granted on the instant application shall

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be enforceable only for and during such period that it and U.S. Patent No. 5,976,332 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and assigns.

Assignment documents evidencing that Ztek Corporation owns the present application were recorded with the United States Patent Office on January 3, 1995, reel number 7280, frame numbers 491-492; and I declare that I have reviewed the Assignment documents and certify, to the best of my knowledge and belief, that title to this patent application resides with Ztek Corporation.

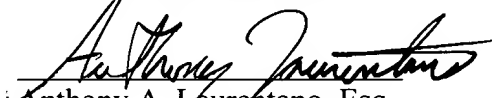
In making the above disclaimer, Ztek Corporation does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of U.S. Patent No. 5,976,332, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2/3/00
Date

on behalf of
ZTEK CORPORATION


Anthony A. Laurentano, Esq.
Attorney for Applicants